

# IASC

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## **Discussion of Smoke Complaint Management Procedures**

**October 14 - 16, 2003**



# **Complaint Resolution Procedures (Discussion Summary)**

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- ☞ Development of Existing ARB/CAPCOA Complaint Resolution Protocol**
- ☞ What Current Protocol Does**
- ☞ How Current Protocol meets Smoke Complaint Needs**
- ☞ A Few Thoughts on Procedural Improvements for Addressing Smoke Complaints**



# Development of Existing Complaint Resolution Protocol

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## ☞ ARB/CAPCOA Protocol

☞ Developed as part of California Environmental Justice Program with Environmental Justice Stakeholders

☞ Primarily intended to address stationary source facility impacts near populated centers -- **smoke addressed generally but not in detail**



# What Current Protocol Does

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- 🐸 **Receipt of Complaints**
- 🐸 **Investigation of Complaints**
- 🐸 **Outcomes/Remedies to Complaints**
- 🐸 **Feedback to Complainants**



# Air District Receipt of Complaints

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## Protocol Addresses:

- ☞ **Types of complaints received --  
phone, written, in person verbal**
- ☞ **After hour acceptance of complaints**
- ☞ **Logging and initial processing of  
complaints**



# Investigation of Complaints

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- **General information collection**
- **Source determination**
- **Observation of situation**
- **Record number of complaints**
- **Assess potential on-going complaints**
- **Sample collection if possible**
- **Assess potential violation**
- **Document investigation**



# Investigation of Complaints

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## Ongoing Complaints

- ☛ all items contained in previous slide
- ☛ enhanced site surveillance
- ☛ enhanced off-hours response
- ☛ site-specific (community) air quality monitoring by local district (possibly with ARB or community assistance), as appropriate
- ☛ conduct other types of air quality sampling, as appropriate



# Follow-up on Complaints

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- **Seek appropriate mitigation actions**
- **Bring facility back into compliance**
- **Issue Notice(s) to Comply or Notice(s) of Violation**
- **Seek penalties in accordance with statutory criteria**
- **Initiate administrative proceeding to obtain compliance (e.g., order of abatement, permit revision, permit revocation)**
- **Develop follow-up report to complainants**



# Possible Procedural Improvements for Smoke Complaints

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- ☞ When call received, clarify if a smoke observation is being reported or a complaint is being submitted
- ☞ When call received, determine caller's awareness of land manager smoke contact information – if caller is unaware, provide contact information



# Possible Procedural Improvements for Smoke Complaints

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**If complaint is specified, obtain specific caller information Including:**

- ☞ **Date and time of call**
- ☞ **Nature of the situation**
- ☞ **Caller Name**
- ☞ **Address**
- ☞ **Willingness to be contacted by land management agencies -- for follow-up and future smoke notification**
- ☞ **Other???**
- **Phone/Fax**
- **Email**

**Does it make sense to develop a standardized complaint logging form?**



# Possible Procedural Improvements for Smoke Complaints

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- ☞ Provide web page information on fires and smoke, such as:
  - ARB and Air District Smoke program links
  - Land manager links
  - Monitoring information links
- ☞ Offer information on health effects and smoke management fact sheets
- ☞ Clarify complaint follow-up procedures for smoke
  - What constitutes legitimate smoke complaint?
  - What constitutes reasonable justification for limiting burning and mitigating smoke impacts?
  - What constitutes a violation?
- ☞ Other??



# IASC Membership Thoughts

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- Convene IASC Sub-committee on smoke complaint resolution procedures and report back to general membership with suggestions at future meeting?

- Yes ☐

- No ☒

- Other

- Make ARB/CAPCOA Protocol available to all Land and Air Managers [http://www.arb.ca.gov/ch/complaint\\_resolution\\_protocol\\_10-03-02.pdf](http://www.arb.ca.gov/ch/complaint_resolution_protocol_10-03-02.pdf)
  - Develop a short white paper on complaint management procedures and share with Air and Land Manager Policy Committee and at a future IASC meeting